





Witnesses.—Don't you think it would be extremely difficult for a person not accustomed to drive or own carriages to distinguish a driver from a passenger in a buggy and a passenger from a driver? I am not speaking of such a case as this, but of a case in which the driver of a police-car or policeman is in the act of driving or who does not know other than the buggies.

Witnesses.—That would depend whether the person was short-sighted or not.

Witness.—It would depend how far he was away; there are not many buggies in the city.

Witness.—Is Waship? How many do you know of?

Witnesses.—Four; two are mine; the body of the is painted chocolate, the hood is black, the wheels red. The others are of a dark color.

Mr. Humphreys.—Three of them are dark one chocolate. That is all I have to ask.

Witness.—Captain Hastings, did you know whether there was a hood on the carriage? Hon. Commander Hastings.—I cannot say.

Witness.—I saw a high two-wheeled trap, but whether it had a hood on it I cannot possibly swear. When I looked back I saw Mr. Humphreys get into it.

Mr. Humphreys.—Has my buggy a black hood? Hon. Commander Hastings.—Yes.

Witness.—That black hood has a bugger and a passenger.

Witness.—I returned to the colony on the 30th of December, last, in the morning. My father and I were together all day either at the office or elsewhere.

Witness.—Do you remember my driving a two-wheeled chaise near to the entrance of the office about a quarter past five?

Witness.—No. I could not say that there was a two-wheeled chaise when I was not with my father. I went to the Park between six and five o'clock in the afternoon.

Mr. Humphreys.—You were not at the District office between five and six?

Witnesses.—No.

Mr. Humphreys.—Then I won't ask you any more questions.

James Crossland, defendant's groom, said.—I saw Mr. Humphreys drive his father's 330 and the colony. It was the last day of the last month. I do not know whether Mr. Humphreys was on the evening of that day. I did not see him drive. I did not get the trap ready for him. I saw a single set of harness belonging to other gentlemen and also a single set of harness belonging to Mr. Humphreys. I went to a West Point carriage painter to fetch the trap, and had a new harness made. The harness being back with it the pony crossed legs and broke the shaft of the trap. That was about 330.

Mr. Humphreys.—What harness did you have?

Witness.—A single set; there is only one set.

Mr. Humphreys.—If you were using the harness how could I be using it?

Witness.—I do not know whether you were using it or not; you got into the 330 and left the trap and the chaise standing in Cairne Road near Mr. Granville Smith's residence. When I went back to the stables again, I could not see Mr. Humphreys. I waited for him until 8 o'clock, but he did not come. I saw a couple of coolies and we passed a trap back. I do not know whether Mr. Humphreys used the harness and pony after the trap broke at 330.

Mr. Humphreys.—What day was it exactly?

Witness.—The last day of the last month.

Hon. Commander Hastings.—That was Tuesday.

Witness.—Yes; I understand that is the day the summons was taken out.

Hon. Commander Hastings.—The summons was taken out on Monday, the 30th.

Witness.—Is Waship?—It is not a question whether summons was taken out on the 30th or not.

Witness.—It was the 30th December.

Hon. Commander Hastings.—That is not the day of the last month. What day of the last month?

Witness.—I think it was Tuesday. The only reason I know is that it was the day Mr. Humphreys arrived from Europe.

Hon. Commander Hastings.—What day of the week was it?

Witness.—The day on which Mr. Humphreys arrived.

Hon. Commander Hastings.—Did you see Mr. Humphreys arrive?

Witness.—No. I was horse riding, and when came back he was home. I arrived half an hour after he did.

Hon. Commander Hastings.—What time was that?

Witness.—I saw him about 10.30 or 11 o'clock talking about town with his father.

Hon. Commander Hastings.—Has Mr. Humphreys more than one single set of harness?

Witness.—No. I am uncertain he has a single set at Mr. Buck's place, where Mr. Fraser Smith used to have his stables in Pedder's Bazaar. I think that harness was getting repaired at the time; I am not certain.

Witness.—Has Mr. Humphreys—Where does Mr. Humphreys keep the white pony?

Witness.—He did keep it at Mount Richmond; present it is at Mr. Kennedy's stables. It has been there two or three days.

Witness.—Has Mr. Humphreys a buggy at Mount Richmond?

Witness.—He has a two-wheeled affair.

Hon. Commander Hastings.—That was in the year 1893?

Witness.—Yes.

Hon. Commander Hastings.—And it belongs to Mr. Humphreys?

Witness.—I do not know whether it belongs to him or not.

Hon. Commander Hastings.—You have never seen the receipt for it?

Witness.—No.

Hon. Commander Hastings.—Were you there when Sergeant Moffatt came last month?

Witness.—Really I forget, but perhaps Moffatt might judge my memory.

Sergeant Moffatt came into Court and witnesses said.—I did not see him at Mount Richmond. I am not sure about the receipt of the licence in the station some time ago and would like to tell Mr. Fraser about it.

Mr. Humphreys.—What do you mean by saying that I did not see him at Mount Richmond? I know that the other set belongs to Mr. Buck and I have never used it?

Witness.—I understood it was yours. The only reason—

Witness.—I am not responsible for what you understood. Where did you get your information from?

Witness.—Mr. Kennedy told me.

Mr. Humphreys.—It does not belong to me. I have never used it. Have you ever seen a single set of harness?

Witness.—No.

Mr. Humphreys.—Have you ever put it on your pony?

Witness.—No.

Mr. Humphreys.—Has it ever been at my house?

Witness.—No.

Witness.—Where is it kept?

Witness.—At Mr. Fraser Smith's stables.

Mr. Humphreys.—I have a double set of harness in addition to that set?

Witness.—Yes.

Witness.—Don't you know as a matter of fact that that set of double harness was on the 30th December at Mr. Kennedy's being repaired?

Witness.—Yes, it was, taken there on the 16th of December two days ago.

Mr. Humphreys.—I have no more witnesses. I will, your Worship, I think the case cannot be considered to be proved, as a question of belief is not allowed to get into the trap and the case in this Worship.—It is not a question of belief, as you get into it.

Mr. Humphreys.—He said he saw me get into the dog cart on the last occasion, and to-day he said he saw me get into the dog cart.

Hon. Witness.—He saw a two-wheeled carriage; he does not commit himself to a dog cart.

Mr. Humphreys.—He did commit himself the last time.

Witness.—He says a two-wheeled vehicle, corrected his evidence.

Mr. Humphreys.—I do not think he has proved his case.

Witness.—I am afraid he has, Mr. Humphreys.

Mr. Humphreys.—Well, I'll leave the matter to your Worship's hands.

Witness.—I will now say to suggest to you, Mr. Humphreys, the advisability of taking out a licence. Are you willing to do so? The fact is this: For every time you use a vehicle it is not licensed you are liable to be brought before the court, and it is a great deal of inconvenience, and it causes trouble to the police as well, and also wastes the time of the court.







